

**DEPARTMENT OF EDUCATION - OFFICE OF FISCAL SERVICES
REQUEST and NOTICE OF EXEMPTION FROM PROCUREMENT**

PART I - REQUEST FOR EXEMPTION FROM PROCUREMENT

1. TO: DOE Chief Procurement Officer (**send completed original form to OFS Procurement and Contracts Branch**)

FROM: OCISS, Curriculum and Instruction Branch

(Name of School or Program)

The school/program named above requests a procurement exemption as follows below.

2. This exemption is requested pursuant to:
☒ §103D-102(b)(4), HRS and Chapter 3-120, HAR or
☐ §103F-101(a)(4), HRS and Chapter 3-141, HAR

3. Island/District: ☒ Statewide or
☐ Oahu ☐ Hawaii ☐ Kauai ☐ Maui

4. Description of the proposed purchase (attach additional sheets if necessary):
 Indicate one category: ☒ good ☐ service ☐ construction ☐ Health/Human service ☐ professional service
 Brief description: Education and Career Opportunities System (ECOS) is a full-service, online college and career guidance system for use by Hawaii public middle/intermediate and high school students, school counselors, administrators, parents, and community members. (See attached for complete description.)

5. Vendor Information
 Name: The Princeton Review
 Address: 2025 Guadalupe, Suite 148
 Austin, Texas 78705

6. Term of Contract
 From: upon approval
 To: 07/31/10 (est. completion of competitive contract)

7. Total Cost:
 \$50,000

8. Explanation describing how procurement by competitive means is either **not practicable or not advantageous** to the State (attach additional sheets if necessary):
 From September 1, 2004 through August 31, 2008, the Department of Education (DOE) had contracted The Princeton Review to provide all public middle/intermediate and high schools statewide access to the Education and Career Opportunities System (ECOS). The Curriculum and Instruction Branch, Career and Technical Education program (CTE) is working with the Procurement and Contract to develop a Request for Proposal (RFP) to resolicit this service. Unfortunately, this process will take from four to six months to complete, which does not include time for the vendor to configure the system to meet the DOE's requirements, then train the users on the new system. Since schools have student and teacher accounts already set up in ECOS, and the school counselors are familiar with the system, CTE proposes enabling schools to continue using the ECOS system during this interim period by purchasing an annual license from the Princeton Review for the period from 8/1/09 through 7/31/10. (continued on page 3)

9. Details of the process or procedure to be followed in selecting the vendor to **ensure maximum fair and open competition** as practicable (attach additional sheets if necessary):
 The Princeton Review was selected to provide the DOE with the ECOS system through a sole source procurement in March 2004. The contract ended on August 31, 2008. A competitive ~~sealed bid~~ process will be used to procure the next contract since there are now vendors who provide similar systems. However, during the interim period, CTE is requesting a procurement exemption to enable students to continue to use the ECOS system.

10. A description of the school/program internal controls and approval requirements for the exempted procurement (attach additional sheets if necessary): <div style="text-align: center; margin-left: 300px;"><u>Princeton</u></div> The procurement of the ECOS system through the Harvard Review for these services will be a one-time occurrence.																							
11. List of school/program personnel who will be involved in the approval process and administration of the contract (attach additional sheets if necessary): <table style="width: 100%; border: none;"> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Name</th> <th style="text-align: left; border-bottom: 1px solid black;">Title</th> <th style="text-align: left; border-bottom: 1px solid black;">Involvement in process</th> </tr> <tr> <td>Kathleen Nishimura</td> <td>Director</td> <td><input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration</td> </tr> <tr> <td>Katherine Sakuda</td> <td>Administrator</td> <td><input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration</td> </tr> <tr> <td>Gilbert Chun</td> <td>Educational Specialist</td> <td><input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration</td> </tr> <tr> <td></td> <td></td> <td><input type="checkbox"/> Approval <input type="checkbox"/> Administration</td> </tr> <tr> <td></td> <td></td> <td><input type="checkbox"/> Approval <input type="checkbox"/> Administration</td> </tr> <tr> <td></td> <td></td> <td><input type="checkbox"/> Approval <input type="checkbox"/> Administration</td> </tr> </table>			Name	Title	Involvement in process	Kathleen Nishimura	Director	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration	Katherine Sakuda	Administrator	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration	Gilbert Chun	Educational Specialist	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration			<input type="checkbox"/> Approval <input type="checkbox"/> Administration			<input type="checkbox"/> Approval <input type="checkbox"/> Administration			<input type="checkbox"/> Approval <input type="checkbox"/> Administration
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12. This exemption should be recommended to the Procurement Policy Board to be considered for the list of exemptions attached to Chapter 3-120 or 3-141, HAR: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																							
13. I hereby certify that the information provided above is, to the best of my knowledge, true and correct; and that all applicable statutory, administrative, policy and procedures have or shall be complied with. <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 40%;"> </div> <div style="width: 30%; text-align: center;"> <u>Administrator</u> </div> <div style="width: 20%; text-align: center;"> <u>8/4/09</u> </div> <div style="width: 10%;"></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> Administrator's Signature & Title Date </div>																							
PART II - NOTICE OF EXEMPTION FROM PROCUREMENT																							
The school/program named below intends to exempt the goods, services, or construction (as described in the request below) from procurement for good cause. The Chief Procurement Officer is in the process of reviewing this request.																							
Inquiries and questions about this request may be directed to: <div style="margin-top: 10px;"> Name/Title: Gilbert Chun/Educational Specialist School/Program: Career and Technical Education Address: 425 22nd Ave., Rm. 215, Honolulu, HI 96816 Telephone No.: 808-733-9141 ext. 418 email address: gilbert.chun@notes.k12.hi.us </div>	Written objections to this Notice of Exemption must be received within seven (7) calendar days from the date this notice was posted, and shall be directed to: <div style="margin-top: 10px;"> Chief Procurement Officer, Department of Education Procurement & Contracts Branch, OFS 94-275 Mokuola Street Room 200 Waipahu, Hawaii 96797 Telephone Number: 808-675-0130 email address: DOEprocure@notes.k12.hi.us </div>																						
Reserved for Procurement Office Use																							
14. Chief Procurement Officer's Comments: <div style="height: 100px; border: 1px solid black; margin-top: 5px;"></div>																							
15. <div style="display: flex; align-items: flex-start; margin-top: 10px;"> <div style="margin-right: 20px;"> <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> No Action </div> <div style="flex-grow: 1;"> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="display: flex; justify-content: space-between;"> Patricia Hamamoto, Superintendent & CPO Date </div> </div> </div> <div style="margin-top: 10px;"> c: Administrator, State Procurement Office </div>																							

Continued access is crucial since this program supports students to meet the career and post secondary requirements of the revised BOE Policy # 4540 graduation requirements. School counselors and students have been using ECOS for the past four years to develop the individual Personal Transition Plan, which is a new graduation requirement. If they are not able to access ECOS this school year, the students will need to start all over again to reduplicate their work.

Therefore, it is not practical for the State to procure a new student career and guidance system for this school year. CTE proposes enabling schools to continue using the ECOS system during this interim period by using a procurement exemption to purchase an annual license from the Princeton Review for the period from approval through 7/31/10.